



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

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JUN 23 1992

June 18, 1992

VIA CERTIFIED MAIL P 749 694 751

Mr. Joseph Boyle, Chief
RCRA Enforcement Branch
U.S. Environmental Protection Agency
Region V
77 West Jackson Boulevard
Chicago, Illinois 60604

OFFICE OF RCRA
Waste Management Division
U.S. EPA, REGION V

Dear Mr. Boyle:

Re: Gary Development Company, Inc.
Gary, Indiana
EPA I.D. No. IND 077005916
RCRA Enforcement Referral

Enclosed is an Addendum to the RCRA Enforcement Referral of October 22, 1985, from the Enforcement Section of our Hazardous Waste Management Branch. Ms. Ruth Ireland, of this office, has discussed this referral with Ms. Mirtha Capiro of your technical section. Pursuant to that discussion, this Enforcement Referral is being sent to you.

This referral contains the inspection report package prepared by PRC Environmental Management, Inc., contractors for IDEM. Xeroxed copies of the photographs are contained in this referral. Copies from the negatives can be processed, should you request this.

Staff of this office will assist in providing any additional information needed by your office. Specific questions regarding this Enforcement Referral should be directed to Ms. Ruth Ireland at 317/232-3408.

Very truly yours,

Timothy J. Method
Timothy J. Method
Assistant Commissioner
Solid and Hazardous Waste Management

RAI/rmw

Enclosures

cc: Ms. Uylaine McMahan, U.S. EPA, Region V
Ms. Susan Sylvester, U.S. EPA, Region V

RAI
4/27/92

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JUN 23 1992

COMPLIANCE EVALUATION INSPECTION

GARY DEVELOPMENT COMPANY, INC.
GARY, INDIANA

OFFICE OF RCRA
Waste Management Division
U.S. EPA, REGION V

REFERRAL PACKAGE

Prepared for

Indiana Department of Environmental Management
Indianapolis, IN 46206-6015

Contract	:	Great Lakes Basin FY92
EPA Region	:	5
Site No.	:	IND 077 005 916
Date Prepared	:	March 13, 1992
PRC No.	:	136-22
Prepared by	:	PRC Environmental Management, Inc. (Judy Wagner)
Contractor Project Manager	:	Tom Hahne
Telephone No.	:	312/856-8700
IDEM Contract Manager	:	Charles Grady
Telephone No.	:	317/232-3411

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PART I
SUMMARY AND RECOMMENDATIONS

SUMMARY AND RECOMMENDATIONS

RELEVANT INFORMATION

Facility: Gary Development Company, Inc.
479 N. Cline Avenue
Gary, Indiana 46406

EPA ID No.: IND 077 005 916

Contact: Larry Hagen, President

Phone No.: 219/944-7858

Inspectors: Jack Brunner, PRC Lead Inspector, IDEM Contractor
Rick Hersemann, PRC Inspector, IDEM Contractor
Judy Wagner, PRC Inspector, IDEM Contractor

Phone No.: 312/856-8700

PROJECT BACKGROUND

PRC Environmental Management, Inc. (PRC), conducted a compliance evaluation inspection (CEI) at the Gary Development Company, Inc. (GDC), facility in Gary, Indiana, on February 18, 1992. This referral package briefly presents PRC's scope of work for the CEI and discusses violations identified during the inspection. The referral package contains three parts: Part I presents a summary of PRC's inspection and recommendations for bringing the facility into compliance with applicable regulations; Part II contains the final CEI report which provides further details of the inspection; and Part III provides supporting evidence for the CEI.

The GDC facility is a currently inoperative landfill that accepted mainly municipal waste from 1975 to August 1989. The facility has been owned and operated by GDC since operations began in 1973. During 1981, the facility allegedly accepted hazardous waste (primarily F001, F002, F003, F005, and F006) from several hazardous waste generators in Indiana, as indicated by the generators's 1981 certified annual reports. Both the Indiana Department of Environmental Management (IDEM) and the U. S. Environmental Protection Agency (EPA) initiated administrative actions in 1986 against the GDC facility. IDEM sent GDC a Recommended Findings of Fact, Conclusions of Law and Order of the Administrative Law Judge (Cause No. N-146) that concluded GDC was not in compliance with the February 18, 1983 Agreed Order, its construction permit, or its operating permit. GDC also did not comply with operating standards during three of four inspections conducted at the facility between the issuance of the February 18, 1983 Agreed Order and the issuance of four denial letters to the GDC facility on January 3,

1984. These letters, issued by IDEM, revoked four special permission letters, also from IDEM, that allowed disposal of special waste at the facility (IDEM, 1986a). GDC did not appeal the revocations.

EPA issued a Complaint and Compliance Order (V-W-86R-45) to GDC on May 30, 1986. The order stated the reasons for its regulatory determination, established a compliance schedule, and assessed a civil penalty for violations indicated (EPA, 1986). EPA determined that the facility had accepted hazardous waste for disposal without submitting the required notification, achieving interim status, submitting a Part B permit application, implementing a proper ground-water monitoring program, achieving compliance with the financial assurance requirements, and other operating requirements. EPA gave the GDC facility 30 days to achieve compliance, or submit plans for compliance, with the above mentioned items. IDEM and EPA contend that GDC is a hazardous waste facility. No final administrative ruling has yet been made regarding whether or not the landfill is a hazardous waste facility.

VIOLATIONS AND RECOMMENDATIONS FOR ATTAINING COMPLIANCE

PRC inspected the GDC facility on February 18, 1992. PRC's inspection included records review, facility inspection, and interviews with facility personnel. During the inspection, PRC noted violations of the Indiana Administrative Code (IAC) and federal Land Disposal Restrictions (LDR). These violations and recommendations for achieving compliance are listed below.

IAC Violations

1. **Violation -- [329 IAC 3-7-2].** The facility has not made a proper hazardous waste determination for the leachate generated at the facility.
Recommendation -- The facility should conduct a hazardous waste determination on its leachate.
2. **Violation -- [329 IAC 3-16-4].** The facility did not have a detailed waste analysis plan on file for waste it accepted.
Recommendation -- The facility should have detailed waste analyses plan, and should keep it on site and available for review.
3. **Violation -- [329 IAC 3-16-6].** The facility did not have a written inspection schedule and did not conduct scheduled inspections of the facility for deterioration, malfunctions, operating errors, discharges of hazardous waste, and did not inspect monitoring equipment, safety equipment, security devices, or other equipment.
Recommendation -- The facility should conduct inspections of the abovementioned items and maintain a log of these inspections.
4. **Violation -- [329 IAC 3-16-7].** The facility did not provide introductory or annual training reviews for personnel managing hazardous waste. The facility did not maintain personnel training records for current or former personnel handling hazardous waste.
Recommendation -- The facility should provide introductory and annual training as required. The facility should maintain the appropriate training records.

5. **Violation -- [329 IAC 3-17-7].** The facility did not make arrangements with local authorities in case of an emergency at the facility.
Recommendation -- The facility should make arrangements with local emergency organizations.
6. **Violation -- [329 IAC 3-18-2 through 7].** The facility did not have a contingency plan.
Recommendation -- The facility should prepare a contingency plan designed to minimize hazards to human health and the environment from fires, explosions, or any unplanned, sudden or nonsudden release of hazardous waste to environmental media.
7. **Violation -- [329 IAC 3-19-4].** The facility did not have an operating record to show the contents and location of hazardous waste in the landfill.
Recommendation -- The facility should develop an operating record.
8. **Violation -- [329 IAC 3-20-1(a)].** The facility did not implement a ground-water monitoring system.
Recommendation -- The facility should develop and implement a RCRA ground-water monitoring system.
9. **Violation -- [329 IAC 2-20-1(d)].** The facility did not implement an alternate ground-water monitoring system.
Recommendation -- The facility should implement an alternate ground-water monitoring system if it does not implement a regular system.
10. **Violation -- [329 IAC 3-21-3(a)].** The facility did not have a closure plan available during the inspection.
Recommendation -- The facility should have a closure plan available on site for review at all times.
11. **Violation -- [329 IAC 3-21-9(b)].** The facility did not have a post-closure plan available during the inspection.
Recommendation -- The facility should have a post-closure plan available on site for review at all times.
12. **Violation -- [329 IAC 3-22-3(b)].** The facility did not annually revise closure and post-closure cost estimates to account for inflation.
Recommendation -- The facility should revise its closure and post-closure plans each year to account for inflation.
13. **Violation -- [329 IAC 3-28-3].** The facility did not maintain general operating systems to control runoff and runoff, and wind dispersal of hazardous waste from the facility.
Recommendation -- The facility should develop and maintain systems to control runoff and runoff, and wind dispersal.
14. **Violation -- [329 IAC 3-28-4].** The facility did not have an operating record to show the location and contents of hazardous waste in the landfill.
Recommendation -- The facility should have an operating record to show the contents and location of hazardous waste in the landfill.

LDR Violation

1. **Violation -- [40 CFR 268.7(a)].** The facility did not conduct a proper waste determination of its leachate.
Recommendation -- The facility should use appropriate methods to determine whether or not its landfill leachate is hazardous. If hazardous, the waste should be managed as such.

PART II
COMPLIANCE EVALUATION INSPECTION REPORT



COMPLIANCE EVALUATION INSPECTION
GARY DEVELOPMENT COMPANY, INC.
GARY, INDIANA
FINAL REPORT

Prepared for
Indiana Department of Environmental Management
Indianapolis, IN 46206-6015

Contract	:	Great Lakes Basin FY92
EPA Region	:	5
Site No.	:	IND 077 005 916
Date Prepared	:	March 13, 1992
PRC No.	:	136-22
Prepared by	:	PRC Environmental Management, Inc. (Judy Wagner)
Contractor Project Manager	:	Tom Hahne
Telephone No.	:	312/856-8700
IDEM Contract Manager	:	Charles Grady
Telephone No.	:	317/232-3411

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1.0 INTRODUCTION

PRC Environmental Management, Inc. (PRC), was contracted by the Indiana Department of Environmental Management (IDEM) to conduct Resource Conservation and Recovery Act (RCRA) compliance evaluation inspections (CEI) in Indiana. As part of this assignment, PRC conducted a CEI at the Gary Development Company, Inc. (GDC), facility in Gary, Indiana.

The objective of the CEI was to determine facility compliance with applicable hazardous waste management regulations of the Indiana Administrative Code (IAC Title 329), corresponding federal regulations (40 CFR Parts 261, 262, and 265), and federal Land Disposal Restrictions (LDR) (40 CFR Part 268).

Before conducting the CEI, PRC met with IDEM and conducted a preinspection file audit on February 4, 1992. IDEM officials provided PRC with copies of state and federal checklists to be completed during the CEI. During the file audit, PRC completed the preinspection file audit checklist, photocopied relevant material, and became acquainted with facility operations and regulatory history as described in the files.

On February 18, 1992, PRC conducted an unannounced CEI at the GDC facility. The following personnel were present during the inspection:

- | | | |
|---|------------------|-------------------------------------|
| • | Larry Hagen, Jr. | Employee, GDC |
| • | Jack Brunner | PRC Lead Inspector, IDEM Contractor |
| • | Rick Hersemann | PRC Inspector, IDEM Contractor |
| • | Judy Wagner | PRC Inspector, IDEM Contractor |

PRC interviewed facility representatives, reviewed facility records, evaluated facility waste management recordkeeping, and inspected facility waste management operations. PRC completed applicable checklists to assist in the compliance evaluation. PRC also took seven photographs of significant facility operations and inspection findings.

This report describes inspection findings and evaluates facility regulatory compliance. Completed inspection checklists are provided in Appendix A. Photographs taken during the inspection are provided in Appendix B.

2.0 FACILITY BACKGROUND

This section describes the facility's location, operations, regulatory status and history.

2.1 FACILITY LOCATION

The GDC facility is at 479 North Cline Avenue in Gary, Lake County, Indiana. The facility is bordered on the south by the Grand Calumet River, on the west by AMG Resources (formerly Vulcan Corporation), and on the north and east by railroad tracks. The facility is accessible through the Cline Avenue frontage road (see Figure 1, Facility Location and Layout). The landfill occupies approximately 62 acres.

2.2 FACILITY OPERATIONS

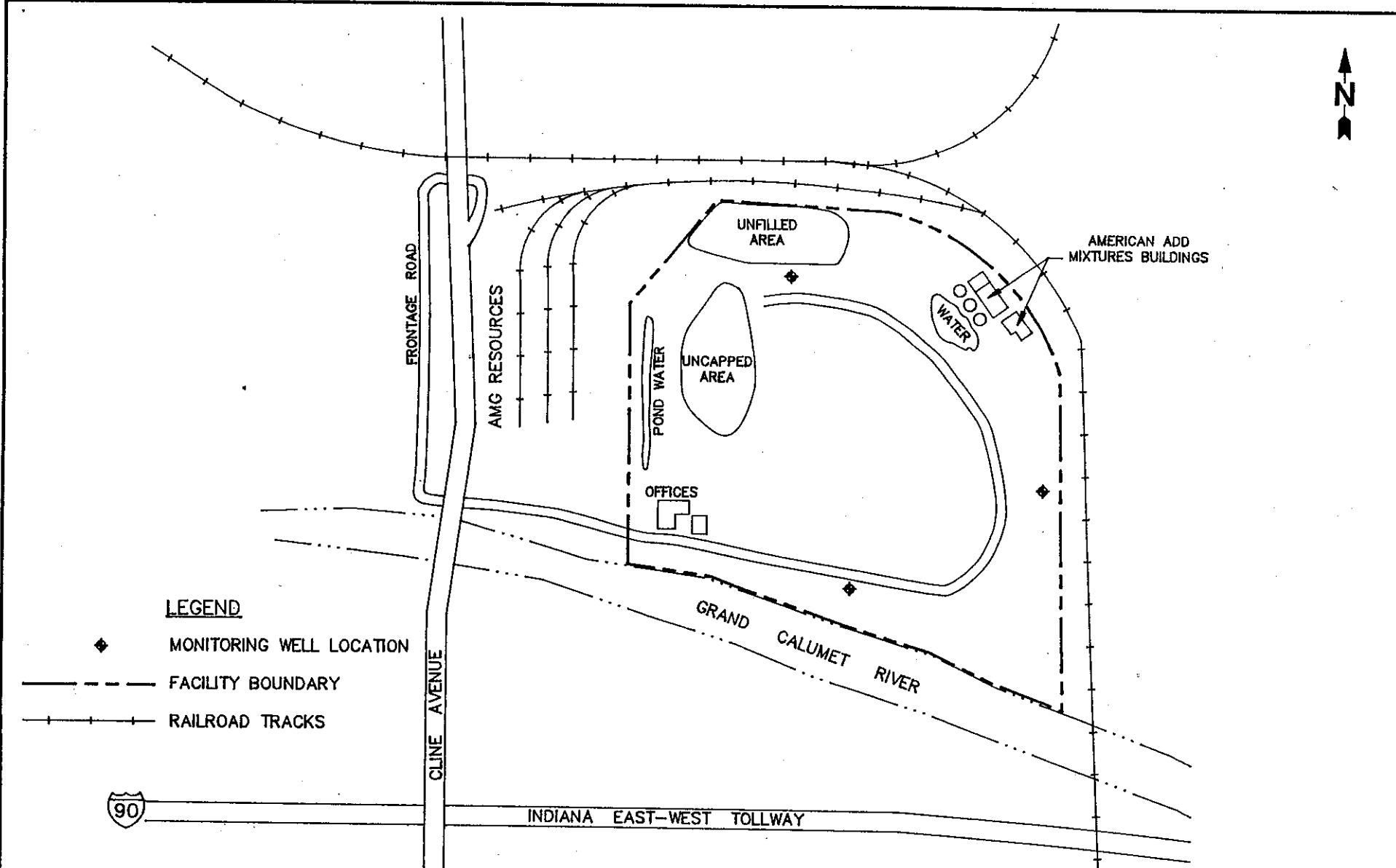
The GDC facility was approved for construction by the Indiana Stream Pollution Control Board (SPCB) in June 1973 as a sanitary landfill. The facility received an operating permit from SPCB in February 1975, and accepted mainly municipal waste until August 1989, at which time it ceased operations as a landfill. The facility allegedly accepted hazardous waste (primarily F001, F002, F003, F005, and F006) from several hazardous waste generators in Indiana, as indicated on certified annual reports. The facility has been owned and operated by GDC since operations began in 1973. Originally, the landfill was a mined-out, water-filled sand pit.

Currently, a 3-foot clay cap is being constructed on the landfill. According to Larry Hagen, Jr., a GDC employee, this cap is approximately 80 percent complete. American Add Mixtures operated a fly ash slurry plant in the northeast corner of the GDC facility. Slurry from this fly ash slurry plant was mixed with the clay used in the daily clay cover. The American Add Mixtures buildings are now abandoned, and the dates of operation are unknown.

2.3 FACILITY REGULATORY STATUS AND HISTORY

The GDC landfill is, according to IDEM records, an inactive RCRA hazardous waste land disposal facility. Based on its review of file documents, PRC determined that the facility accepted hazardous waste for disposal during 1980 and 1981.

The Indiana regulatory agency governing the GDC facility has changed names several times since 1980. For convenience, this history section identifies IDEM as the regulatory agency



SOURCE: MODIFIED FROM A GARY DEVELOPMENT COMPANY, INC., LOSS OF INTERIM STATUS INSPECTION REPORT SKETCH DATED JUNE 1986

NOT TO SCALE

GARY DEVELOPMENT COMPANY, INC. GARY, INDIANA	
FIGURE 1 FACILITY LOCATION AND LAYOUT	
PRC	ENVIRONMENTAL MANAGEMENT, INC.

Page 1 of 3

REFERENCE 23

throughout, while the actual agency title is indicated in the reference. The Environmental Management Board (EMB) name was used until approximately 1983, then the Indiana State Board of Health (ISBH) name was used until 1986, at which time the IDEM name was used.

On November 18, 1980, the GDC facility filed a Part A permit application with the U. S. Environmental Protection Agency (EPA) indicating that the GDC facility was a landfill that disposed of general municipal, commercial, and industrial refuse and permitted industrial wastes (GDC, 1980). Hazardous waste codes on this Part A permit application include F003, F005, F006, and K087. The facility claimed to have submitted a Notification of Hazardous Waste Activity, but the EPA has no record of receiving this notification. A Part B permit application was requested by EPA, but never submitted by GDC (EPA, 1986).

An Agreed Order (Cause No. N-53) dated February 18, 1983, between IDEM and GDC indicates that GDC may continue to accept nonhazardous special waste but not RCRA hazardous waste (EMB, 1983).

In October, 1986, IDEM sent GDC a Recommended Findings of Fact, Conclusions of Law and Order of the Administrative Law Judge (Cause No. N-146) that concluded GDC was not in compliance with the February 18, 1983 Agreed Order, its construction permit, or its operating permit. GDC also did not comply with operating standards during three of four inspections conducted at the facility between the issuance of the February 18, 1983 Agreed Order and the issuance of four denial letters to the GDC facility on January 3, 1984. These letters, issued by IDEM, revoked four special permission letters, also from IDEM, that allowed disposal of special waste at the facility (IDEM, 1986a). GDC did not appeal the revocations.

As indicated in a letter from EPA to GDC, a 1984 EPA inspection of the American Chemical Service facility in Griffith, Indiana (IND 016 360 265), revealed that approximately 330,000 kilograms (kg) of hazardous waste (F005) were sent by manifest from American Chemical Service to the GDC facility in 1981. Additional unmanifested shipments of the same American Chemical Service waste were made from November 1980 to early 1981. Because of its acceptance of this waste, proximity to the Grand Calumet River, and operating deficiencies, GDC was not issued an Interim Status Compliance Letter for continued hazardous waste operation. Because the GDC facility did not have interim status or a hazardous waste permit, EPA stated that the landfill must undergo closure and post-closure activities (EPA, 1984).

IDEM notified GDC that proof of financial assurance for closure and post-closure activities must be submitted to avoid enforcement action (ISBH, 1985a).

IDEM conducted a scheduled inspection of the GDC facility on June 17, 1985. During the inspection, Mr. Lawrence Hagen, president of GDC, stated that the facility did receive manifested waste from American Chemical Service, as well as an unspecified quantity of broken battery cases (D008) and neutralized calcium sulfate. The facility was found to be in noncompliance with unspecified RCRA requirements. The facility did, however, control facility access with an "artificial barrier and control of entry" (ISBH, 1985b).

IDEM decided that EPA should take the lead in resolving violations at the GDC facility. IDEM submitted an enforcement referral to EPA (ISBH, 1985c). EPA issued a Complaint and Compliance Order (V-W-86R-45) to GDC on May 30, 1986. The order stated the reasons for its regulatory determination, established a compliance schedule, and assessed a civil penalty for violations indicated (EPA, 1986). EPA determined that the facility had accepted hazardous waste for disposal without submitting the required notification, achieving interim status, submitting a Part B permit application, implementing a proper ground-water monitoring program, achieving compliance with the financial assurance requirements, and other operating requirements. EPA gave the GDC facility 30 days to achieve compliance, or submit plans for compliance, with the above mentioned items. } **

IDEM conducted scheduled inspections at the facility on August 22, 1986, and August 27, 1987. IDEM's June 17, 1985 inspection report was resubmitted with the 1986 and 1987 inspection reports because the status of the landfill in 1986 and 1987 remained the same as in 1985 (IDEM, 1986b; and IDEM 1987).

GDC notified IDEM that landfilling would be discontinued on August 31, 1989, although approximately 1 year of landfill capacity remained. GDC stated that closure and post-closure requirements, applicable after September 1, 1989, made continued landfilling impractical. GDC also petitioned IDEM to grant a variance so that landfilling could continue under old regulations. GDC believed that landfilling the northeast corner of the facility was necessary in order meet state-approved construction specifications that designated an elevation and contour of the landfill (GDC, 1989). PRC did not discover any evidence to show that a variance was granted.

GDC submitted a 1989 Biennial Report to IDEM indicating that the landfill was out of business and that it did not accept hazardous waste that year (GDC, 1989).

IDEM conducted CEIs at the facility on June 8, 1990, and March 7, 1991, and came to the same conclusions it did for previous inspections. Both CEI reports indicate that no decision regarding the EPA Complaint and Compliance Order had been made (IDEM, 1990; and IDEM, 1991a). IDEM notified GDC that during the 1991 inspection, the presence of six roll-off boxes

at the landfill and inadequate earthen cover and leachate outbreaks at the north slope were revealed (IDEM, 1991b). GDC responded with a letter on June 28, 1991, stating that the roll-off boxes were being removed, the north slope was being covered with clay, and the leachate outbreaks were no longer present (GDC, 1991). In September, 1991, IDEM found GDC to be in compliance with what it claimed in its letter (IDEM, 1991c).

3.0 WASTE STREAMS

The GDC facility is an inactive landfill that accepted numerous types of hazardous waste streams and nonhazardous special and municipal wastes. Waste types, sources, generation rates, and disposition are discussed below.

The facility's RCRA Part A permit application for 1980 identifies the following estimated annual quantities of hazardous waste generation and waste codes: 8.6 acre-feet of F006; 2.0 acre-feet of K087; 0.3 acre-feet of F005; and 0.3 acre-feet of F003 (GDC, 1980).

Certified annual reports for 1981 received by IDEM indicate that at least two generators sent hazardous waste to the GDC facility. The generators were LTV Steel-Indiana Harbor Works (IND 005 462 601), and American Chemical Service (IND 016 360 265). American Chemical Service delivered at least 37 manifested shipments of "flammable liquid paint sludge" (F005) to the landfill for disposal. The type of hazardous waste sent from LTV Steel was not indicated in the reference source (EPA, 1986).

EPA reviewed hazardous waste generating processes at American Chemical Service and concluded that any of the following hazardous waste types may have been present in the waste sent to the facility for disposal: F001, F002, F003, F005, D001, U002, U031, U112, U147, and U154 (EPA, 1984). During the June 17, 1985 IDEM inspection, Mr. Hagen stated that broken battery cases (D008) and neutralized calcium sulfate were also received from American Chemical Service (ISBH,, 1985b).

The GDC facility received municipal waste from Gary and Hammond, Indiana. The landfill was permitted by IDEM to continue receiving the following special wastes for one year: reduction dust, asbestos fill, corn starch, carbon filters, and steel mill sludges (IDEM, 1986a).

PRC found that the facility currently is generating leachate which could be a hazardous waste (F039). This leachate has not been sampled and analyzed for hazardous constituents or characteristics.

4.0 INSPECTION FINDINGS

The CEI consisted of an entrance meeting, records review, facility inspection, and interviews with facility personnel. Significant findings are detailed below.

4.1 RECORDS REVIEW

Mr. Larry Hagen, Jr., claimed that because the GDC facility did not act as a hazardous waste landfill, the facility did not maintain records of its hazardous waste activities. Therefore, PRC noted that the facility lacked analytical records, training records, inspection logs, operating records, a contingency plan, emergency arrangements with local authorities, closure and post-closure plans, and a ground-water monitoring system.

4.2 FACILITY INSPECTION

During the inspection, PRC inspectors walked around the perimeter of the landfill to observe its condition. Significant findings are detailed below.

The Grand Calumet River is the southern border of the landfill. PRC noted areas of runoff in the direction of this river. No fence was present between the river and the landfill. The river could be considered a natural barrier limiting facility access. One monitoring well was located between the river and the landfill.

PRC found that GDC also did not have a fence between the landfill and adjacent railroad tracks on the east boundary. However, a fence was present east of the railroad tracks, which would prevent access from the nearby roadway. PRC noted one monitoring well and exposed debris in this area (see Photo No. 1).

PRC inspected the northeast corner of the landfill where the abandoned American Add Mixtures building is located (see Photo No. 2). PRC noted pond water in this area (see Photo No. 3). Bubbles of apparently methane or other landfill gases were seen surfacing in the pond water and surrounding mud. This area did not appear to be completely capped.

PRC noted exposed debris along the facility's north boundary. In the northwest corner, PRC found the facility's unfilled area (see Photo No. 4), which had standing water. PRC noted leachate seeps into the eastern (see Photo No. 5) and western edges of the standing water. PRC also noted smoke that smelled like sulfur venting up from the northern slope (see Photo No. 6).

Apparently, this smoke came from an underground fire. One monitoring well existed in this area, which was unfenced.

The center portion of the landfill appeared to be capped (see Photo No. 7). The uncapped western boundary had exposed refuse and standing water. PRC did not observe a monitoring well in this area. The fence was missing from the western border, and apparently the facility has no system to control runoff or runoff of hazardous waste from the facility anywhere on the landfill. The facility did not appear to be accepting any waste at the time of the inspection. PRC did not observe the presence of any roll-off boxes at the facility.

5.0 INSPECTION SUMMARY AND REGULATORY DETERMINATIONS

During the CEI, PRC identified deficiencies in analytical records, a training program, training records, inspection logs, operating logs, the contingency plan, emergency arrangements with local authorities, an emergency coordinator, closure and post-closure plans, a ground-water monitoring system, and a record of the location and contents of each cell of hazardous waste. Specific IAC violations are listed below.

IAC Violations

1. The facility has not made a proper hazardous waste determination of leachate which is generated at the facility. [329 IAC 3-7-2]
2. The facility did not have a detailed waste analysis plan on file for waste it accepted [329 IAC 3-16-4].
3. The facility did not have a written inspection schedule and did not conduct scheduled inspections of the facility for deterioration, malfunctions, operating errors, or discharges of hazardous waste, and did not inspect monitoring equipment, safety equipment, security devices, or other equipment [329 IAC 3-16-6].
4. The facility did not provide introductory or annual training reviews for personnel managing hazardous waste. The facility did not maintain personnel training records for current or former personnel handling hazardous waste [329 IAC 3-16-7].
5. The facility did not make arrangements with local authorities in case of an emergency at the facility [329 IAC 3-17-7].
6. The facility did not have a contingency plan [329 IAC 3-18-2 through 7].
7. The facility did not have an operating record to show the contents and location of hazardous waste in the landfill [329 IAC 3-19-4].
8. The facility did not implement a ground-water monitoring system [329 IAC 3-20-1(a)].
9. The facility did not implement an alternate ground-water monitoring system [329 IAC 2-20-1(d)].

10. The facility did not have a closure plan available during the inspection [329 IAC 3-21-3(a)].
11. The facility did not have a post-closure plan available during the inspection [329 IAC 3-21-9(b)].
12. The facility did not annually revise closure and post-closure cost estimates to account for inflation [329 IAC 3-22-3(b)].
13. The facility did not maintain general operating systems to control runoff and wind dispersal of hazardous waste from the facility [329 IAC 3-28-3].
14. The facility did not have an operating record showing the location and contents of hazardous waste at the landfill [329 IAC 3-28-4].

LDR Violation

1. The facility did not conduct a proper waste determination of its leachate [40 CFR 268.7(a)].

REFERENCES

- Gary Development Company, Inc. (GDC), 1980, Resource Conservation and Recovery Act (RCRA) Part A Permit Application (November 18).
- GDC, 1989, Letter to Indiana Department of Environmental Management (IDEM) from Parr, Richey, Obrensky, and Morton, Attorneys at Law (August 29).
- GDC, 1989, 1989 Biennial Report (December 12).
- GDC, 1991, Letter to IDEM (June 28).
- Environmental Management Board (EMB), 1983, Settlement Agreement and Recommended Order (February 18).
- U. S. Environmental Protection Agency (EPA, 1984), Letter to John M. Kyle III, Attorney for GDC, from Karl Klepitsch, EPA (February 8).
- EPA, 1986, Complaint and Compliance Order (May 30).
- IDEM, 1986a, Recommended Findings of Fact, Conclusions of Law and Order of the Administrative Law Judge (September 30).
- IDEM, 1986b, Scheduled Inspection Report (November 17).
- IDEM, 1987, Scheduled Inspection Report (September 9).
- IDEM, 1990, Compliance Evaluation Inspection (CEI) Trip Report (July 10).
- IDEM, 1991a, CEI Trip Report (March 7).
- IDEM, 1991b, Letter to GDC (June 3).
- IDEM, 1991c, Letter to GDC (September 24).
- Indiana State Board of Health (ISBH), 1985a, Letter of Noncompliance from Jeffrey Stevens to GDC (March 29).
- ISBH, 1985b, Scheduled Inspection Report (July 29).
- ISBH, 1985c, Enforcement Referral to William Miner, EPA (October 22).

APPENDIX A
INSPECTION CHECKLISTS

- **PREINSPECTION FILES AUDIT CHECKLIST**
- **TSD - RCRA INSPECTION REPORT**
- **LANDFILLS**
- **RCRA LAND DISPOSAL RESTRICTIONS INSPECTION**

PREINSPECTION FILES AUDIT
CHECKLIST

DATE: 02/04/92

BY: Jack Brunner

COMPANY: Gary Development Company, Inc. (GDC)

LOCATION: 479 N. Cline Avenue P.O. Box 6056 Gary, Indiana 46406

I.D.#: IND/077/005/916

Type of inspection: G T X TSD Closure Complaint Other (please specify)

A. GENERAL

	<u>YES</u>	<u>NO</u>	<u>NA</u>
1. FEDERAL NOTIFICATION ON FILE?	<u> </u>	<u> X </u>	<u> </u>
2. FEDERAL PART A ON FILE?	<u> X </u>	<u> </u>	<u> </u>
3. CLOSURE PLAN REVIEWED?	<u> </u>	<u> </u>	<u> X </u>
4. CONTINGENCY PLAN REVIEWED?	<u> </u>	<u> </u>	<u> X </u>
5. BIENNIAL REPORT REVIEWED?	<u> X </u>	<u> </u>	<u> </u>
6. PART B PERMIT REVIEWED?	<u> </u>	<u> </u>	<u> X </u>

(Note any Special Permit Conditions)

Comments: Notification not in file; Part B permit application not submitted; closure plan
not submitted, 1989 biennial report reviewed

B. NOTIFICATION DATA (Notify type, waste codes listed, etc.)

No notification in file; Part A permit application identifies F003, F005, F006, and K087
wastes

C. LAND DISPOSAL INFORMATION

1. List Waste and Land Disposal Facility

Facility apparently received hazardous waste from off site, which it landfilled
on site

D. LIST POSSIBLE WASTE STREAMS NOT LISTED ON BIENNIAL REPORT

The facility is apparently no longer receiving hazardous wastes

E. LIST WASTE MANAGEMENT PRACTICES WHICH MAY REQUIRE A PERMIT

Facility could possibly be receiving wastes from off site

F. FEDERAL PART A (Handling Codes), OR PART B PERMIT

	<u>Code</u>	<u>Amount</u>	<u>Unit of Measure</u>
1.	<u>D80</u>	<u>100</u>	<u>Acre-feet</u>
2.	<u></u>	<u></u>	<u></u>
3.	<u></u>	<u></u>	<u></u>
4.	<u></u>	<u></u>	<u></u>
5.	<u></u>	<u></u>	<u></u>

Are there any discrepancies regarding multiple Part A submittals? No

G. CLOSURE/POST CLOSURE

1. Any Closed Units: If yes, describe:

No, the facility has not attempted to fulfill closure or post-closure requirements.

H. COMPLIANCE HISTORY

List past two inspections and enforcement actions (CO, NOV, VL, WL)

<u>Date of inspection</u>	<u>Action type</u> <u>Waste Determination</u> <u>Letter Cause No.</u>	<u>Date of Action</u>
<u>03/07/91</u>	<u>10838</u>	<u>06/03/91</u>
<u>06/08/90</u>	<u>Refer to EPA</u>	<u>07/10/90</u>
<u> </u>	<u> </u>	<u> </u>

I. LIST UNRESOLVED ENFORCEMENT ACTIONS/VIOLATIONS

A federal Complaint and Compliance Order (V-W-86-R-45) was issued to the facility in 1986. The status of this order apparently remains unresolved.

J. BRIEFLY SUMMARIZE PREVIOUS VIOLATIONS. NOTE IF THEY ARE REPEATS.

During the previous inspection, six roll-off boxes were found on site. Three of these contained a sludge-like material for which no waste determination has been made.

K. LIST ANY ITEMS UNDER COMPLIANCE SCHEDULES WHICH ARE NOT YET COMPLETED OR NEED TO BE FIELD VERIFIED

Verify that the facility is no longer receiving waste from off site

L. COMMENTS

None

TSD - RCRA INSPECTION REPORT

EPA ID # IND 077 005 916 NAME Gary Development Company, Inc. (GDC)

MAILING ADDRESS: 479 N. Cline Avenue P.O. Box 6056
Gary, Indiana 46406

LOCATION ADDRESS: 479 N. Cline Avenue
Gary, Indiana 46406

CONTACT: Larry Hagen, Sr. PHONE: 219/944-7858

OWNERSHIP: GDC COUNTY: Lake

STATUS CODE: 5 1 = Active 2 = Obsolete 3 = Dead Mail
4 = PCB Handler 5 = Out of business 6 = Non-handler
9 = Superfund site

ACTIVITY: (This should reflect the actual functioning of the facility)

LQG SQG CEG Transporter TSD X UI

Transporters: Air Rail Hwy Water Other

Hazardous Waste Fuel : Gen mktg burner other mktr burner

Off Spec Used Oil Fuel : Gen mktg burner other mktr burner

Spec Used Oil Fuel Mktr :

Burning Device : Util boiler Indus boiler Indus furn

Person(s) Interviewed: Title: Telephone:
Larry Hagen, Jr. Employee (Son of Owner) 219/944-7858

Inspector(s) Agency: Telephone:
Jack Brunner PRC; IDEM Contractor 312/856-8700

Rick Hersemann PRC; IDEM Contractor 312/856-8700

Judy Wagner PRC; IDEM Contractor 708/255-4166

Date of Inspection: 02/18/92 Time of Inspection: 9:50 a.m.

Installation Processes by Process Code (EPA Form 3510-3)

S01	___	Container storage	T03	___	Incinerator treatment
S02	___	Tank storage	T04	___	Other treatment
S03	___	Waste pile storage	D79	___	Injection well disposal
S04	___	Surface impoundment storage	D80	<u>X</u>	Landfill disposal
T01	___	Tank treatment	D81	___	Land application disposal
T02	___	Surface impoundment treatment	D83	___	Surface impoundment disposal

If Part A process codes are listed above as T04, please describe the process involved below:

-
- (1) Indicate any hazardous waste processes, by process code, which have been omitted from Part A of the facility's permit application (HWIMS 610)
 - (2) Indicate any hazardous waste processes (by process code and line number on EPA Form 3510-3 page 1 of 5) which appear to be eligible for exclusion per 40 CFR 265.1(c). Provide a brief rationale for the possible exclusion.
 - (3) Type of Operation, Products Manufactured, Processes Utilized, Size of Operation, Concentrate on processes that produce waste (hazardous or nonhazardous):

The GDC facility is a currently inoperative landfill that accepted mainly municipal waste from to August 1989. During 1981, the facility allegedly accepted hazardous waste (F-solvents) from off-site. GDC has not made a proper hazardous waste determination for leachate generated from the landfill.

- (4) If any of the wastes are managed in the manners listed below, please check those areas and utilize the provided appendices.

		<u>YES</u>	<u>NO</u>
(A) Waste Oil Fuel	- Appendix A	___	<u>X</u>
(B) Lead Acid Batteries	- Appendix B	___	<u>X</u>
(C) Hazardous Waste Fuel	- Appendix C	___	<u>X</u>
(D) Precious Metals	- Appendix D	___	<u>X</u>
(E) Use Constituting Disposal	- Appendix E	___	<u>X</u>
(F) Tanks		___	<u>X</u>
(G) Use and Management of Containers		___	<u>X</u>
(H) Generator Accumulation Appendix		___	<u>X</u>
(I) Waste Pile		___	<u>X</u>
(J) Surface Impoundment		___	<u>X</u>
(K) Landfill		<u>X</u>	___

5)

Hazardous Waste Streams/EPA

#

Source

Rate

Disposition

(6) List all wastes not listed above.

<u>Waste</u>	<u>Process Generating Waste</u>	<u>Rate</u>	<u>Disposition</u>
Leachate	Landfill	Unknown	Onsite; the facility has not made a proper hazardous waste determination for this waste

(7) If the company claims a reuse or reclaim exemption, please include the following information:

	<u>Waste Type</u>	<u>Generating Rate</u>	<u>How Reclaimed & by Whom</u>	<u>Quantity Stored On Site</u>
A.	_____	_____	_____	_____
B.	_____	_____	_____	_____

(8) Hazardous Waste On-Site	Amount	How Stored	Comments
<u>Leachate</u>	<u>Unknown</u>		

(9) Has the capacity of the storage areas listed on the Part A exceeded that allowed? List the type and amount of actual storage capacity overages. 329 IAC 3-38-2 (HWIMS 610)

No

(10) Indicate any TSD activities which have been omitted from or are not clear on the facility map (for the purpose of determining if expansion has occurred).
(40 CFR 270.13 and 329 IAC 3-34-4)(HWIMS 610)

None

(11) Is the Biennial Report Accurate? (3-10-2) Yes

(12) Note any potential non-RCRA problems (open dumping, dumping in city sewer without pretreatment program, OSHA, etc.)

PRC noted that several areas of the landfill did not have proper clay cover; leachate and gases from the landfill were not being controlled; and underground fires were apparently burning within the landfill

(13) Additional comments?

PRC notes that violations noted during the inspection are based upon the assumption, and IDEM position, that the facility acted as a hazardous waste landfill

GENERAL FACILITY STANDARDS (paperwork)

	<u>OK</u>	<u>DF</u>	<u>NI</u>	<u>NA</u>
(1) Has the Regional Administrator/Environmental Management Board been notified regarding:				
(a) Receipt of hazardous waste from a foreign source? <u>40 CFR 265.12(a) (329 IAC 3-16-3) (HWIMS 300)</u>	—	—	—	<u>X</u>
(b) Facility expansion? <u>40 CFR 270.72(b) (329 IAC 3-38-3) (HWIMS 610)</u>	—	—	—	<u>X</u>
(c) Change of owner or operator? <u>40 CFR 265.12(b) (329 IAC 3-16-3) (HWIMS 300)</u>	—	—	—	<u>X</u>

(2) General Waste Analysis: (HWIMS 310)

(a) Has the owner or operator made a detailed chemical and physical analysis of the waste either through testing or knowledge of the process? <u>40 CFR 265.13(a) (329 IAC 3-16-4)</u>	—	<u>X</u>	—	—
(b) Does the owner or operator have a detailed waste analysis plan on file at the facility? <u>40 CFR 265.13(b) (329 IAC 3-16-4)</u>	—	<u>X</u>	—	—

Does the waste analysis plan contain:

1. parameters (and rationale for their choice)	—	<u>X</u>	—	—
2. test methods	—	<u>X</u>	—	—
3. sampling method for representative sample	—	<u>X</u>	—	—
4. frequency of analysis (and rationale)	—	<u>X</u>	—	—
5. <u>off-site only</u> : waste analysis from generators	—	<u>X</u>	—	—
6. Additional waste analysis needed (when a change in waste type or process occurs)				
a. <u>265.193 (329 IAC 3-24-11) Tanks</u> (see above)	—	—	—	<u>X</u>
b. <u>265.225 (329 IAC 3-25-5) Impoundment</u> (same as above)	—	—	—	<u>X</u>
c. <u>265.252 (329 IAC 3-26-3) Waste Pile</u> (same as above)	—	—	—	<u>X</u>
d. <u>265.273 (329 IAC 3-27-3) Land Treatment</u> (same as above)	—	—	—	<u>X</u>
e. <u>265.341 (329 IAC 3-29-2) Incinerators</u> (same as above)	—	—	—	<u>X</u>
f. <u>265.375 (329 IAC 3-30-3) Thermal Treatment</u> (same as above)	—	—	—	<u>X</u>
g. <u>265.402 (329 IAC 3-31-3) Other Treatment</u> (same as above)	—	—	—	<u>X</u>

- (c) Does the waste analysis plan specify procedures for inspection and analysis of each movement of hazardous waste from off-site?

<u>OK</u>	<u>DF</u>	<u>NI</u>	<u>NA</u>
—	<u>X</u>	—	—

- (d) Is the waste analysis plan followed? The facility does not have a waste analysis plan.

(3) Owner or Operator Inspections: (HWIMS 320)

- (a) Does the owner or operator inspect the facility for deterioration, malfunctions, operator errors, and discharges of hazardous waste that may affect human health or the environment?

40 CFR 265.15(a) (329 IAC 3-16-6)(a)

—	<u>X</u>	—	—
---	----------	---	---

- (b) Does the owner or operator have an inspection schedule at the facility?

40 CFR 265.15(b)2 (329 IAC 3-16-6)(b)1

—	<u>X</u>	—	—
---	----------	---	---

- (c) If so, does the schedule address the inspection of the following items:

40 CFR 265.15(b)1 (329 IAC 3-16-6)

1. monitoring equipment?
2. safety and emergency equipment?
3. security devices (including fences)?
4. operating and structural equipment (i.e., dikes, pumps, etc.)?
5. type of problems to be looked for during the inspection (e.g., leaky fittings, defective pump, etc.)?
6. inspection frequency (based upon the possible deterioration rate of the equipment)?

—	—	—	<u>X</u>
—	—	—	<u>X</u>
—	—	—	<u>X</u>
—	—	—	<u>X</u>
—	—	—	<u>X</u>
—	—	—	<u>X</u>

The facility does not have an inspection schedule nor does it conduct inspections.

7. Must include:

	<u>OK</u>	<u>DF</u>	<u>NI</u>	<u>NA</u>
a. Weekly container storage? (See 265.174) (329 IAC 3-23-5)	—	—	—	<u>X</u>
b. Daily and weekly tank storage? (See 265.194) (329 IAC 3-24-6)	—	—	—	<u>X</u>
c. Daily freeboard and weekly dike inspection for surface impoundments? (See 265.226) (329 IAC 3-25-6)	—	—	—	<u>X</u>
d. Landfills, thermal treatment, chemical, physical, and biological treatment should be inspected as determined by deterioration rate and daily at loading and unloading areas (where spills are likely) (See 265.15(b)(4)) (329 IAC 3-16-6)	—	—	—	<u>X</u>
(d) Does Owner or Operator follow the written inspection schedule as outlined? 265.16(b)(1) (329 IAC 3-16-6)	—	—	—	<u>X</u>
(e) Are areas subject to spills inspected daily when in use? 265.15(b)(4) (329 IAC 3-16-6)	—	—	—	<u>X</u>

The facility does not have an inspection schedule.

(f) Does the owner or operator maintain an inspection log or summary of owner or operator inspections? 40 CFR 265.15(d) (329 IAC 3-16-6)(d)	—	<u>X</u>	—	—
(g) Does the inspection log contain the following information: 40 CFR 265.15(d) (329 IAC 3-16-6)(d)				
1. the date and time of the inspection?	—	—	—	<u>X</u>
2. the name of the inspector?	—	—	—	<u>X</u>
3. a notation of the observations made?	—	—	—	<u>X</u>
4. the date and nature of any repairs or remedial actions?	—	—	—	<u>X</u>

The facility does not have an inspection log.

(4) Do personnel training records include: (HWIMS 330)

(a) Job titles for the positions related to HWM
40 CFR 265.16(d)1 (329 IAC 3-16-7)(d)1

OK DE NI NA

— X — —

(b) The name of the employees filling each job title?
40 CFR 265.16(d)1 (329 IAC 3-16-7)(d)1

— X — —

(c) Job descriptions, including the required skills,
education, or other qualifications and the duties
of the personnel assigned to the position?
40 CFR 265.16(d)2 (329 IAC 3-16-7)(d)2

— X — —

Check categories for which job titles/descriptions are available (please include the supervisors of each category in that category when reviewing documents).

Emergency coordinator Training coordinator Emergency response personnel —
Inspectors Material handlers Container labelers Manifesters —
Recordkeepers —

(d) Description of both introductory and continuing
training required for each job?
40 CFR 265.16(d)3 (329 IAC 3-16-7)(d)3

— X — —

Describe in general the type of training program in use at the facility.

(e) Records of training required in (d)?
40 CFR 265.16(d)4 (329 IAC 3-16-7)(d)

— X — —

(f) Did facility personnel receive the required training
including:

1. classroom or on the job

— X — —

2. within 6 months of hire

— X — —

3. annual review of training? (3-16-7)(c)

— X — —

(g) Are all training records maintained for current personnel
and for at least three years for former employees?
40 CFR 265.16(e) (329 IAC 3-16-7)(e)

— X — —

The facility does not have a training program or maintain training records.

CONTINGENCY PLAN AND EMERGENCY PROCEDURES (HWIMS 350)

OK DF NI NA

(1) Does the Contingency Plan contain the following information:

- (a) The actions facility personnel must take to comply with 265.51 (3-18-2) and 265.56 (3-18-7) in response to fires, explosions, or any unplanned release of hazardous waste? [If the owner has a Spill Prevention, Control and Countermeasures (SPCC) Plan, he needs only to amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with the requirements of this Part (as applicable)].
329 IAC 3-18-3(a) and (b)

— X — —

- (b) A description of arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services. (329 IAC 3-18-3)(c)

— X — —

1. Names, addresses, and phone numbers of all persons qualified to act as emergency coordinators?
(329 IAC 3-18-3)(d)

— X — —

2. A list of all emergency equipment at the facility which includes the location and physical description of each item on the list and a brief outline of its capabilities?
40 CFR 265.52(e) (329 IAC 3-18-3)(e)

— X — —

3. An evacuation plan for facility personnel where there is a possibility that evacuation could be necessary? (This plan must describe signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes.)
40 CFR 265.52(f) (329 IAC 3-18-3)(f)

— X — —

(2) Emergency Coordinator:

- (a) Is the facility Emergency Coordinator identified?
40 CFR 265.52(d) (329 IAC 3-18-3)(d)

— X — —

- (b) Is coordinator familiar with all aspects of site operation and emergency procedures?
40 CFR 265.55 (329 IAC 3-18-6)

— — — X

- (c) Does Emergency Coordinator have the authority to carry out the Contingency Plan?
40 CFR 265.55 (329 IAC 3-18-6)

— — — X

The facility does not have a contingency plan or an emergency coordinator.

PREPAREDNESS AND PREVENTION

	<u>OK</u>	<u>DF</u>	<u>NI</u>	<u>NA</u>
(1) Has the owner or operator attempted to make arrangements with local authorities in case of an emergency at the facility? <u>40 CFR 265.37(329 IAC 3-17-7)(a)</u> (HWIMS 340)	—	<u>X</u>	—	—
(2) Are copies of the Contingency Plan available at the site and local emergency organizations? <u>40 CFR 265.53(329 IAC 3-18-4)</u> (HWIMS 350)	—	<u>X</u>	—	—
(3) Emergency Procedures				
If an emergency situation has occurred at this facility, has the Emergency Coordinator followed the emergency procedures listed in <u>265.56 (329 IAC 3-18-7)?</u> (HWIMS 350)	—	—	—	<u>X</u>
<u>An emergency has not occurred at the facility.</u>				

MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

(1) Use of Manifest System:	(HWIMS 360)				
(a) Does the facility follow the procedures listed in <u>265.71 (3-19-2)</u> for processing each manifest? (Particularly sending a copy of the signed manifest back to the generator within 30 days after delivery.) <u>(329 IAC 3-19-2)(a)5</u>	—	—	—	<u>X</u>	
(b) Are records of past shipments retained for three (3) years? <u>40 CFR 265.71(b)5 (329 IAC 3-19-2)(a)6</u>	—	—	—	<u>X</u>	
2) Has the facility submitted copies of hazardous waste manifests to the Department within five (5) working days after receiving waste? (This requirements applies to both Indiana's and other states hazardous waste manifests)? <u>(329 IAC 3-19-2)(a)4</u>	—	—	—	<u>X</u>	
(3) Does the owner or operator meet requirements regarding manifest discrepancies? (Off-site facilities only) <u>40 CFR 265.72(329 IAC 3-19-3)</u>	—	—	—	<u>X</u>	
(4) Unmanifested Waste Reports: (applies only to off-site facilities)					
(a) Has the facility accepted any hazardous waste from an off-site generator subject to 40 CFR 262.20 (3-8-1) without a manifest or shipping paper? <u>40 CFR 265.76 (329 IAC 3-19-7)</u>	—	—	—	<u>X</u>	
(b) If "a" is yes, provide the identity of the source of the waste and a description and the quantity, type and date received for each unmanifested hazardous waste shipment.	—	—	—	<u>X</u>	

- (c) Has the facility submitted 8700-13B (unmanifested waste report)? (329 IAC 3-19-7)

OK	DF	NI	NA
—	—	—	<u>X</u>

The facility is inactive

(5) Closure/Post Closure

- (a) Is the closure plan available for inspection?
40 CFR 265.112(a)(329 IAC 3-21-3)(a) (HWIMS 390)

—	<u>X</u>	—	—
---	----------	---	---

- (b) Is the post-closure plan available for inspection?
(for disposal facilities only)
40 CFR 265.118(a)(329 IAC 3-21-9)(b) (HWIMS 390)

—	<u>X</u>	—	—
---	----------	---	---

- (c) Has the closure cost and post-closure cost estimate been revised annually to account for inflation.
(329 IAC 3-22-3)(b) (HWIMS 400)

—	<u>X</u>	—	—
---	----------	---	---

(6) Operating Record (HWIMS 370)

- (a) Does owner or operator have an operating record?
40 CFR 265.73(a) (329 IAC 3-19-4)(a)

—	<u>X</u>	—	—
---	----------	---	---

- (b) Does the owner or operator maintain an operating record that contains the following information?

1. The method(s) and date(s) of each waste's treatment, storage, or disposal as required in 40 CFR 265 Appendix I (329 IAC 3-32-2)?
40 CFR 265.73(b)(1) (329 IAC 3-19-4)(b)

—	—	—	<u>X</u>
---	---	---	----------

Summarize how the facility tracks the method and date of TSD activity.

The facility has no operating record

2. The location and quantity of each hazardous waste within the facility? (This information shall be cross-referenced to a specific manifest number if the waste was accompanied by manifest.)
40 CFR 265.73(b)(2) (329 IAC 3-19-4)(b)2

—	—	—	<u>X</u>
---	---	---	----------

Summarize how the facility tracks the location and quantity of waste.

The facility has no operating record

	<u>OK</u>	<u>DF</u>	<u>NI</u>	<u>NA</u>
3. A map or diagram of each cell or disposal area showing the location and quantity of each hazardous waste? (This information should be cross-referenced to specific manifest number, if accompanied by a manifest.) <u>40 CFR 265.73(b)(2) (329 IAC 3-19-4)(b)2</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>X</u>
4. Records and results of all waste analyses, trial tests, monitoring data, and operating inspections? <u>40 CFR 265.73(b)(3)(5)(6) (329 IAC 3-19-4)(b)3</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>X</u>
5. Reports detailing all incidents that required implementation of the Contingency Plan? <u>40 CFR 265.73(b)(4) (329 IAC 3-19-4)(b)4</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>X</u>
6. All closure and post closure costs as applicable? <u>40 CFR 265.73(b)(7) (329 IAC 3-19-4)(b)7</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>X</u>

The facility has no operating record.

GROUND-WATER MONITORING (40 CFR Subpart F)

Complete this section for facilities that treat, store, or dispose of hazardous waste in landfills, surface impoundments and/or by land treatment.

- | | | | | |
|--|----------|----------|----------|----------|
| (1) Has the owner or operator of the facility implemented a ground-water monitoring system?
<u>40 CFR 265.90(a) (329 IAC 3-20-1)(a)</u> (HWIMS 380) | <u>—</u> | <u>X</u> | <u>—</u> | <u>—</u> |
| (2) Has the owner or operator of the facility implemented an alternate ground-water monitoring system as described in <u>269.90(d) (329 IAC 3-20-1)(d)</u> ? (HWIMS 380) | <u>—</u> | <u>X</u> | <u>—</u> | <u>—</u> |

The facility has four monitoring wells on site. However, the facility has not implemented a RCRA ground-water monitoring system.

APPENDIX GN

Complete this section if the owner or operator of a TSD facility also generates hazardous waste that is subsequently shipped off-site for treatment, storage, or disposal.

<u>Manifest Requirements:</u>	(HWIMS 110)	<u>OK</u>	<u>DF</u>	<u>NI</u>	<u>NA</u>
(1) Does the operator have copies of the manifest available for review? <u>40 CFR 262.40(329 IAC 3-10-1)(a)</u>		—	—	—	<u>X</u>
(2) Examine manifests for shipments in past 6 months. Indicate approximate number of manifested shipments during that period.			<u>0</u>		
(3) Do the manifest forms examined contain the following information. <u>40 CFR 262.21(329 IAC 3-8-1)</u>					
(a) Manifest document number? EPA ID No. + Unique 5 digit No. (A sequential number for all manifests before September 20, 1984, and a five-digit unique number after September 20, 1984.)		—	—	—	<u>X</u>
(b) Name, mailing address, telephone number, and EPA ID number of generator? (329 IAC 3-14-4)		—	—	—	<u>X</u>
(c) Name, address, telephone number (329 IAC 3-14-5), and EPA ID number of transporter(s)?		—	—	—	<u>X</u>
(d) Name, address, telephone number (329 IAC 3-14-3), and EPA ID number of designated permitted facility?		—	—	—	<u>X</u>
(e) The description of the waste(s) (DOT shipping name, DOT hazard class, DOT identification number)?		—	—	—	<u>X</u>
(f) The total quantity of waste(s) and the type and number of containers loaded?		—	—	—	<u>X</u>
(g) Required certification?		—	—	—	<u>X</u>
(h) Required signatures?		—	—	—	<u>X</u>
(i) EPA hazardous waste number (329 IAC 3-14-3)?		—	—	—	<u>X</u>

The facility does not ship hazardous waste offsite

	<u>OK</u>	<u>DF</u>	<u>NI</u>	<u>NA</u>
(4) For hazardous waste shipments to Indiana facilities (or hazardous waste shipments to states that do not supply manifests), has the generator used the Indiana Hazardous Waste Manifest? <u>329 IAC 3-8-2</u>	—	—	—	<u>X</u>

(5) Has the generator submitted copies of hazardous waste manifests to the Department within five (5) working days after shipping hazardous waste? (This requirement applies to both Indiana's and other states hazardous waste manifests.) <u>329 IAC 3-8-4</u>	—	—	—	<u>X</u>
---	---	---	---	----------

(6) Reportable exceptions:
40 CFR 262.42(329 IAC 3-10-3) (HWIMS 180)

(a) For manifests examined in (2) (except for shipments within the last 35 days), enter the number of manifests for which the generator has NOT received a signed copy from the designated facility within 35 days of the date of shipment. None.

(b) For manifests indicated in (4a), enter the number for which the generator has submitted exception reports (40 CFR 262.42) (329 IAC 3-10-3) to the Regional Administrator.

INTERNATIONAL SHIPMENTS (HWIMS 190)

	<u>OK</u>	<u>DF</u>	<u>NI</u>	<u>NA</u>
(1) Has the installation imported or exported hazardous waste? <u>40 CFR 262.50(329 IAC 3-11-1)</u> (If answered yes, complete the following as applicable.)	—	—	—	<u>X</u>

(a) Exporting hazardous waste; has a generator:

1. Notified the administrator in writing?	—	—	—	<u>X</u>
---	---	---	---	----------

2. Obtained the signature of the foreign consignee confirming delivery of the waste(s) in the foreign country?	—	—	—	<u>X</u>
--	---	---	---	----------

3. Met the Manifest requirements?	—	—	—	<u>X</u>
-----------------------------------	---	---	---	----------

(b) Importing hazardous waste; has the generator met the manifest requirements?	—	—	—	<u>X</u>
---	---	---	---	----------

RECORDKEEPING AND REPORTING

	<u>OK</u>	<u>DF</u>	<u>NI</u>	<u>NA</u>
(1) Has the generator made a proper hazardous waste determination for all solid wastes generated at the facility? <u>40 CFR 262.11(329 IAC 3-7-2)</u> (HWIMS 100)	—	<u>X</u>	—	—
(2) Has the generator submitted biennial reports and exception reports as required? <u>329 IAC 3-10-2 and 329 IAC 3-10-3</u> (HWIMS 180/360)	<u>X</u>	—	—	—
(3) Are all test results and analyses needed for hazardous waste determinations retained for at least three years? <u>40 CFR 262.40(329 IAC 3-10-1)(c)</u> (HWIMS 180)	—	—	—	<u>X</u>

The facility has not made a proper hazardous waste determination for its leachate.

DRAW A SITE MAP; identify site of all hazardous waste activity, i.e., accumulation areas, storage areas, treatment areas, etc.

See CEI final report, Figure 2

LANDFILLS
40 CFR 265 Subpart N, 329 IAC 3-28
(HWIMS 460)

General Operating Requirements

	<u>OK</u>	<u>DF</u>	<u>NI</u>	<u>NA</u>
(1) Does the facility maintain a proper runon control system? <u>40 CFR 265.302(a) (329 IAC 3-28-3 (a))</u>	—	<u>X</u>	—	—
(2) Does the facility maintain a proper runoff system? <u>40 CFR 265.302(b) (329 IAC 3-28-3 (b))</u>	—	<u>X</u>	—	—
(3) Are runoff and runon collection and holding facilities managed or emptied expeditiously after storms? <u>40 CFR 265.302(c) (329 IAC 3-28-3 (c))</u>	—	<u>X</u>	—	—
(4) Is wind dispersal of hazardous waste managed? <u>40 CFR 265.302(d) (329 IAC 3-28-3 (d))</u>	—	<u>X</u>	—	—

Please describe runon and runoff control activities or any problems noted.

No runon or runoff control; no wind dispersal management

Surveying and Recordkeeping

1. Does the operating record include:				
a. A map, showing the exact dimensions including depth of each cell with respect to permanent surveyed benchmarks. <u>40 CFR 265.309 (329 IAC 3-28-4)</u>	—	<u>X</u>	—	—
b. The contents of each cell and approximate location of each hazardous waste type within each cell. <u>40 CFR 265.309 (329 IAC 3-28-4)</u>	—	<u>X</u>	—	—

Special Requirements -- Ignitable and Reactive Waste -- Landfills

1. Is all ignitable or reactive waste treated or otherwise rendered non-ignitable or non-reactive before or immediately after placement in the landfill. <u>40 CFR 265.312 (329 IAC 3-28-6)</u>	—	—	—	<u>X</u>
2. Are the general requirements for treatment of ignitable waste at 329 IAC 3-16-8(b) complied with (e.g., prevention of fires, explosions, toxic fumes, integrity of treatment devices, or threats to human health and environment, etc.). <u>40 CFR 265.312 (329 IAC 3-28-6)</u>	—	—	—	<u>X</u>

	<u>OK</u>	<u>DF</u>	<u>NI</u>	<u>NA</u>
3. If ignitable or reactive waste is not rendered non-ignitable or non-reactive, is the waste containerized and managed in a manner which prevents ignition of the waste. <u>40 CFR 265.312 (329 IAC 3-28-6)(b)</u>	—	—	—	<u>X</u>

Special Requirements for Incompatible Waste -- Landfills

1. Do the operators place incompatible waste in separate cells. (See 329 IAC 3-32-5 for examples.) <u>40 CFR 265.313 (329 IAC 3-28-7)</u>	—	—	—	<u>X</u>
2. If incompatible waste is placed in the same cell, are the general requirements at 329 IAC 3-16-8 complied with. <u>40 CFR 265.313 (329 IAC 3-28-7)(b)</u>	—	—	—	<u>X</u>

Special Requirements for Bulk and Containerized Liquids -- Landfills

1. Has the facility complied with the prohibition against placement of bulk or noncontainerized liquid hazardous waste or hazardous waste containing free liquids in the landfill. <u>40 CFR 265.314 (329 IAC 3-28-8)(a)</u>	—	—	—	<u>X</u>
2. Has the facility placed any nonhazardous liquids in the landfill without permission of the commissioner. <u>40 CFR 265.314 (329 IAC 3-28-8)(e)</u>	—	—	—	<u>X</u>
3. Has the facility complied with the requirements for containers holding free liquids: a. All free liquids have been removed, or b. has been mixed with absorbent or solidified, or c. only containers designed to hold free liquids for use other than storage have been accepted (e.g., batteries, capacitors, lab packs) <u>40 CFR 265.314 (329 IAC 3-28-8)(c)</u>	—	—	—	<u>X</u>
4. Does the facility use the "Paint Filter Liquids Test" to check for the presence of free liquids according to the procedures specified in their waste analysis plan. <u>40 CFR 265.314 and 265.13(b)(6) (329 IAC 3-28-8)(d), (329 IAC 3-16-4(b)(6))</u>	—	—	—	<u>X</u>

Special Requirements for Containers -- Landfills

1. With the exception of very small containers such as ampules, are all containers at least 90 percent full when placed in the landfill. <u>40 CFR 265.315 (329 IAC 3-28-9(1))</u>	—	—	—	<u>X</u>
2. If not 90 percent full, are the containers crushed, shredded, or similarly reduced in volume before burial in the landfill. <u>40 CFR 265.315 (329 IAC 3-28-9(2))</u>	—	—	—	<u>X</u>

Lab Packs -- Landfills

OK DF NI NA

1. Has the facility placed in the landfill only lab packs that have been packaged and prepared in accordance with 329 IAC 3-28-10.

— — — X

General Facility Standards

1. Security -- Do security measures include: (HWIMS 300) (if applicable)

See 40 CFR 265.14 (329 IAC 3-16-5)(b) for the following

- a. 24-hour surveillance?

— — — X

or

- b. i. Artificial or natural barrier around facility?

X — — —

and

- ii. Controlled entry?

X — — —

- c. Danger sign(s) at entrance?

X — — —

Preparedness and Prevention

Part 265 Subpart C

2. Maintenance and Operation of Facility (HWIMS 340, 810 spill)

- a. Is there any evidence of fire, explosion, or release of hazardous waste or hazardous waste constituent?
40 CFR 265.31 (329 IAC 3-17-2)

No — — —

3. If required, does the facility have the following equipment: (HWIMS 340)

- a. Internal communications or alarm systems?
40 CFR 265.32(a) & 40 CFR 265.34(a) (329 IAC 3-17-3 & 5)

X — — —

- b. Telephone or 2-way radios at the scene of operations?
40 CFR 265.32(b) & 40 CFR 265.34(b) (329 IAC 3-17-3 & 5)

X — — —

	<u>OK</u>	<u>DF</u>	<u>NI</u>	<u>NA</u>
c. Portable fire extinguishers, fire control, spill control equipment and decontamination equipment? Are water hoses, foam equipment, automatic sprinklers or water spray equipment available? (Please specify) <u>40 CFR 265.32(c) (329 IAC 3-17-3)</u>	—	—	—	<u>X</u>
4. Whenever waste is being handled, do all personnel have immediate access to an alarm or communication device (through another employee if always available)? <u>40 CFR 265.34(a) (329 IAC 3-17-5) (HWIMS 340)</u>	—	—	—	<u>X</u>
5. Testing and Maintenance of Emergency Equipment: (HWIMS 340)				
a. Has the owner or operator established testing and maintenance procedures for emergency equipment? <u>40 CFR 265.33 (329 IAC 3-17-4)</u>	—	—	—	<u>X</u>
b. Is emergency equipment maintained in operable condition? <u>40 CFR 265.33 (329 IAC 3-17-4)</u>	—	—	—	<u>X</u>
6. Does the owner or operator maintain adequate aisle space for the movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment? (This applies to access for this equipment to reach hazardous waste management areas.) <u>40 CFR 265.35 (329 IAC 3-17-6)</u>	—	—	—	<u>X</u>

The facility does not currently receive hazardous wastes from offsite. The landfill is inactive.

RCRA LAND DISPOSAL RESTRICTIONS INSPECTION

I. GENERAL INFORMATION

Facility: Gary Development Company, Inc. (GDC)
 U.S. EPA ID No.: IND 077 005 916
 Street: 479 N. Cline Avenue P.O. Box 6056
 City: Gary State: IN Zip: 46406
 Telephone: 219/944-7858

Inspection Date: 02/18/92 Time: 9:50 (am/pm)

Weather Conditions: Cloudy; 35°F

	<u>Name</u>	<u>Agency/Title</u>	<u>Telephone</u>
Inspectors:	<u>Jack Brunner</u>	<u>PRC; IDEM Contractor</u>	<u>312/856-8700</u>
	<u>Rick Hersemann</u>	<u>PRC; IDEM Contractor</u>	<u>312/856-8700</u>
	<u>Judy Wagner</u>	<u>PRC; IDEM Contractor</u>	<u>708/255-4166</u>
Facility Representatives:	<u>Larry Hagen, Jr.</u>	<u>GDC, Employee (son of owner)</u>	<u>219/944-7858</u>

See Appendix B to determine which of the following LDR waste categories the facility manages:

	<u>Generate</u>	<u>Transport</u>	<u>Treat</u>	<u>Store</u>	<u>Dispose</u>
F001-F005 Solvents	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>X¹</u>
F020-F023 and F026-F028	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
California List*	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
First Third [40 CFR 268.10]	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Second Third [40 CFR 268.11]	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Third Third [40 CFR 268.12]	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

* See Appendix A

¹ F-solvent allegedly disposed of before 1986 LDR regulations.

INSPECTION SUMMARY

Processes That Generate LDR Wastes:

GDC allegedly accepted F-solvent wastes for on-site disposal in 1981, which was before the implementation of LDR regulations.

LDR Waste Management:

F-solvent wastes were allegedly disposed of at the GDC facility, and may have been mixed with sand. Location of the on-site F-solvents are not recorded. Leachate from the landfill is not managed as hazardous waste. Currently, no LDR wastes are known to be managed. However, the facility had not made a proper hazardous waste determination for its leachate which could possibly be F039.

Summary:

PRC noted that the facility had not made a proper hazardous waste determination for its leachate which could possibly be F039.

Signature:

RCRA LAND DISPOSAL RESTRICTIONS INSPECTION

II. WASTE IDENTIFICATION

A. List waste codes which the facility handles in each of the following LDR categories*:

1. F001 through F005 spent solvents:

F-solvent waste allegedly received before 1986, which was before implementation of LDR regulations.

2. F020-F023 and F026-F028 dioxin-containing wastes:

3. California List Wastes (See Appendix A):

4. First Third Wastes [40 CFR 268.10]:

5. Second Third Wastes [40 CFR 268.11]:

6. Third Third Wastes [40 CFR 268.12]**:

* See Appendix B

** Note: Effective 09/25/90, large quantity generators and TSDs are required to use the toxicity characteristic leaching procedure (TCLP) instead of the extraction procedure (EP) for determining the toxicity characteristic (TC). Small quantity generators must comply with this new requirement by 03/29/91. Wastes which exhibit TC, but do not exhibit EP, will be considered "newly identified" wastes. They will be regulated under 40 CFR Part 268 only after they are evaluated by U.S. EPA, even if they are characteristic for a constituent previously covered under the EP toxicity characteristic [55 FR 22531].

B. Waste Code Determination

1. Have all wastes been correctly identified for purposes of compliance with 40 CFR Part 268?*

Yes___ No X

If no, list below:

Assigned Classification

Correct Classification

None

Landfill leachate (F039)

** Areas of concern include: California List waste categories with more stringent treatment standards; listed characteristic; multi-source/single-source leachate; P and U waste codes/F and K wastes; and waste code carry through principle.

Comments: _____

2. Have both the listed and characteristic waste code been assigned, where a listed waste exhibits a characteristic? [40 CFR 268.9(a)]

Yes____ No____ NA X

Comments: _____

3. Has multi-source leachate been assigned the F039 waste code?* [40 CFR 261.31]

Yes____ No X NA____

* Leachate derived exclusively from F020-F023 and/or F026-F028 dioxin wastes retains the individual waste codes.

If yes, was single-source leachate combined to form multi-source leachate? [55 FR 22623]

Yes____ No____

Comments: The facility has not made a proper hazardous waste determination on its leachate, which is not managed as a hazardous waste.

C. Does the facility handle the following wastes (national capacity variances)?

1. F001-F005 contaminated soil and debris resulting from a CERCLA response action or a RCRA corrective action (expires 11/08/90). [40 CFR 268.30(c)]

Yes____ No X List_____

2. Dioxin contaminated soil and debris resulting from a CERCLA response action or a RCRA corrective action (expires 11/08/90). [40 CFR 268.31(b)]

Yes____ No X List_____

3. California list contaminated soil and debris resulting from a CERCLA response action or a RCRA corrective action (expires 11/08/90). [40 CFR 268.32(d)(2)]

Yes____ No X List_____

4. K048-K052 petroleum wastes (nonwastewaters; expires 11/08/90). [40 CFR 268.35(b)]

Yes____ No X List_____

5. Soil and debris contaminated with wastes that had treatment standards based on incineration set in the Second Third rule - F010, F024, K009, K010, K011, K013, K014, K023, K027, K028, K029, K038, K039, K040, K043, K093, K094, K095, K0966, K113, K114, K115, K116, P039, P040, P041, P043, P044, P062, P071, P085, P089, P094, P097, P109, P111, U028, U058, U069, U087, U088, U102, U107, U190, U221, U223, U235 (expires 06/09/91). [40 CFR 268.34(d)]

Yes____ No X List_____

6. Soil and debris contaminated with wastes that had treatment standards set in the Third Third rule based on incineration, mercury retorting, or vitrification. See Appendix A (expires 05/08/92). [40 CFR 268.35(e)]

Yes____ No X List_____

7. The following nonwastewaters - F039, K031, K084, K101, K102, K106, P010, P011, P012, P036, P038, P065, P087, P092, U136, U151 (expires 05/08/92). [40 CFR 268.35(c)]

Yes____ No X List_____

8. The following wastes identified as hazardous based on a characteristic alone: D004 (nonwastewaters), D008 (lead materials stored before secondary smelting), D009 (nonwastewaters) (expires 05/08/92). [40 CFR 268.35(c)]

Yes____ No X List_____

9. Inorganic solid debris as defined in 40 CFR 268.2(g)*; includes chromium refractory bricks carrying EPA Hazardous Waste Nos. K048-K052 (expires 05/08/92). [40 CFR 268.35(c)]

Yes____ No X List_____

*Note: Incorrect reference [40 CFR 268.2(a)(7)] in Third Third rule.

10. RCRA hazardous wastes that contain naturally occurring radioactive materials (expires 05/08/92). [40 CFR 268.35(c)]

Yes____ No X List_____

11. Wastes listed in 40 CFR 268.10, 268.11, and 268.12 that are mixed radioactive/hazardous wastes (expires 05/08/92)*. [40 CFR 268.35(d)]

Yes____ No X List_____

*Note: 40 CFR 268.10 and 268.11 wastes incorrectly omitted from this variance in the Third Third rule.

APPENDIX B
PHOTOGRAPHIC LOG

CHANGES OR DELETIONS FOR THE
COMPLIANCE EVALUATION INSPECTION FOR
GARY DEVELOPMENT COMPANY, INC.
GARY, LAKE COUNTY

1. Page 3 of 4, TSD-RCRA Inspection Report, Landfill: In item 2 PRC answered no. Does this mean that the areas of runoff in the direction of the river and the smoke that smelled like sulfur could not be evidence of a release?
2. Did PRC inspect the integrity of the cap of the landfill?

**RESPONSES TO COMMENTS
GARY DEVELOPMENT COMPANY, INC.
COMPLIANCE EVALUATION INSPECTION
IND 077 005 916**

IDEM Comment

PRC Responses

- | | |
|---|---|
| 1 | PRC added the comment that although run-off and smoke were observed, PRC could not determine if they were hazardous waste or hazardous waste constituents (Page 3 or 4, Landfill checklist). |
| 2 | PRC redlined comments concerning visual observations of the integrity of the landfill cap. PRC was unable to conduct soil borings to thoroughly determine the integrity of the landfill cap (Pages 7 and 8, Inspection Report). |

Lab Packs -- Landfills

- | | <u>OK</u> | <u>DE</u> | <u>NI</u> | <u>NA</u> |
|--|-----------|-----------|-----------|-----------|
| 1. Has the facility placed in the landfill only lab packs that have been packaged and prepared in accordance with 329 IAC 3-28-10. | — | — | — | <u>X</u> |

General Facility Standards

1. Security -- Do security measures include: (HWIMS 300)
(if applicable)

See 40 CFR 265.14 (329 IAC 3-16-5)(b) for the following

- | | | | | |
|--|----------|---|---|----------|
| a. 24-hour surveillance? | — | — | — | <u>X</u> |
| or | | | | |
| b. i. Artificial or natural barrier around facility? | <u>X</u> | — | — | — |
| and | | | | |
| ii. Controlled entry? | <u>X</u> | — | — | — |
| c. Danger sign(s) at entrance? | <u>X</u> | — | — | — |

Preparedness and Prevention

Part 265 Subpart C

2. Maintenance and Operation of Facility (HWIMS 340, 810 spill)

- | | | | | |
|---|-----------|---|---|---|
| a. Is there any evidence of fire, explosion, or release of hazardous waste or hazardous waste constituent?
<u>40 CFR 265.31 (329 IAC 3-17-2)</u> | <u>No</u> | — | — | — |
|---|-----------|---|---|---|

PRC observed vented smoke and run-off from the landfill but could not determine if this was a release of hazardous waste or a hazardous waste constituent.

3. If required, does the facility have the following equipment: (HWIMS 340)

- | | | | | |
|---|----------|---|---|---|
| a. Internal communications or alarm systems?
<u>40 CFR 265.32(a) & 40 CFR 265.34(a) (329 IAC 3-17-3 & 5)</u> | <u>X</u> | — | — | — |
| b. Telephone or 2-way radios at the scene of operations?
<u>40 CFR 265.32(b) & 40 CFR 265.34(b) (329 IAC 3-17-3 & 5)</u> | <u>X</u> | — | — | — |

4.0 INSPECTION FINDINGS

The CEI consisted of an entrance meeting, records review, facility inspection, and interviews with facility personnel. Significant findings are detailed below.

4.1 RECORDS REVIEW

Mr. Larry Hagen, Jr., claimed that because the GDC facility did not act as a hazardous waste landfill, the facility did not maintain records of its hazardous waste activities. Therefore, PRC noted that the facility lacked analytical records, training records, inspection logs, operating records, a contingency plan, emergency arrangements with local authorities, closure and post-closure plans, and a ground-water monitoring system.

4.2 FACILITY INSPECTION

During the inspection, PRC inspectors walked around the perimeter of the landfill to observe its condition. Significant findings are detailed below.

The Grand Calumet River is the southern border of the landfill. PRC noted areas of runoff in the direction of this river. No fence was present between the river and the landfill. The river could be considered a natural barrier limiting facility access. One monitoring well was located between the river and the landfill.

PRC found that GDC also did not have a fence between the landfill and adjacent railroad tracks on the east boundary. However, a fence was present east of the railroad tracks, which would prevent access from the nearby roadway. PRC noted one monitoring well and exposed debris in this area (see Photo No. 1).

PRC inspected the northeast corner of the landfill where the abandoned American Add Mixtures building is located (see Photo No. 2). PRC noted pond water in this area (see Photo No. 3). Bubbles of apparently methane or other landfill gases were seen surfacing in the pond water and surrounding mud. This area did not appear to be completely capped.

PRC noted exposed debris along the facility's north boundary. In the northwest corner, PRC found the facility's unfilled area (see Photo No. 4), which had standing water. PRC noted leachate seeps into the eastern (see Photo No. 5) and western edges of the standing water. PRC also noted smoke that smelled like sulfur venting up from the northern slope (see Photo No. 6).

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PRC noted exposed debris along the facility's north boundary. In the northwest corner, PRC found the facility's unfilled area (see Photo No. 4), which had standing water. PRC noted leachate seeps into the eastern (see Photo No. 5) and western edges of the standing water. PRC also noted smoke that smelled like sulfur venting up from the northern slope (see Photo No. 6).

Apparently, this smoke came from an underground fire. One monitoring well existed in this area, which was unfenced.

The center portion of the landfill appeared to be capped (see Photo No. 7). The uncapped western boundary had exposed refuse and standing water. PRC did not observe a monitoring well in this area. The fence was missing from the western border, and apparently the facility has no system to control runoff or runoff of hazardous waste from the facility anywhere on the landfill. The facility did not appear to be accepting any waste at the time of the inspection. PRC did not observe the presence of any roll-off boxes at the facility.

5.0 INSPECTION SUMMARY AND REGULATORY DETERMINATIONS

During the CEI, PRC identified deficiencies in analytical records, a training program, training records, inspection logs, operating logs, the contingency plan, emergency arrangements with local authorities, an emergency coordinator, closure and post-closure plans, a ground-water monitoring system, and a record of the location and contents of each cell of hazardous waste. Specific IAC violations are listed below.

IAC Violations

1. The facility has not made a proper hazardous waste determination of leachate which is generated at the facility. [329 IAC 3-7-2]
2. The facility did not have a detailed waste analysis plan on file for waste it accepted [329 IAC 3-16-4].
3. The facility did not have a written inspection schedule and did not conduct scheduled inspections of the facility for deterioration, malfunctions, operating errors, or discharges of hazardous waste, and did not inspect monitoring equipment, safety equipment, security devices, or other equipment [329 IAC 3-16-6].
4. The facility did not provide introductory or annual training reviews for personnel managing hazardous waste. The facility did not maintain personnel training records for current or former personnel handling hazardous waste [329 IAC 3-16-7].
5. The facility did not make arrangements with local authorities in case of an emergency at the facility [329 IAC 3-17-7].
6. The facility did not have a contingency plan [329 IAC 3-18-2 through 7].
7. The facility did not have an operating record to show the contents and location of hazardous waste in the landfill [329 IAC 3-19-4].
8. The facility did not implement a ground-water monitoring system [329 IAC 3-20-1(a)].
9. The facility did not implement an alternate ground-water monitoring system [329 IAC 2-20-1(d)].

Lab Packs -- Landfills

	<u>OK</u>	<u>DF</u>	<u>NI</u>	<u>NA</u>
1. Has the facility placed in the landfill only lab packs that have been packaged and prepared in accordance with 329 IAC 3-28-10.	<u>—</u>	<u>—</u>	<u>—</u>	<u>X</u>

General Facility Standards

1. Security -- Do security measures include: (HWIMS 300)
(if applicable)

See 40 CFR 265.14 (329 IAC 3-16-5)(b) for the following

a. 24-hour surveillance?	<u>—</u>	<u>—</u>	<u>—</u>	<u>X</u>
or				
b. i. Artificial or natural barrier around facility?	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>
and				
ii. Controlled entry?	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>
c. Danger sign(s) at entrance?	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>

Preparedness and Prevention

Part 265 Subpart C

2. Maintenance and Operation of Facility (HWIMS 340, 810 spill)

a. Is there any evidence of fire, explosion, or release of hazardous waste or hazardous waste constituent? <u>40 CFR 265.31 (329 IAC 3-17-2)</u>	<u>No</u>	<u>—</u>	<u>—</u>	<u>—</u>
---	-----------	----------	----------	----------

PRC observed vented smoke and run-off from the landfill but could not determine if this was a release of hazardous waste or a hazardous waste constituent.

3. If required, does the facility have the following equipment: (HWIMS 340)

a. Internal communications or alarm systems? <u>40 CFR 265.32(a) & 40 CFR 265.34(a) (329 IAC 3-17-3 & 5)</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>
b. Telephone or 2-way radios at the scene of operations? <u>40 CFR 265.32(b) & 40 CFR 265.34(b) (329 IAC 3-17-3 & 5)</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>

4.0 INSPECTION FINDINGS

The CEI consisted of an entrance meeting, records review, facility inspection, and interviews with facility personnel. Significant findings are detailed below.

4.1 RECORDS REVIEW

Mr. Larry Hagen, Jr., claimed that because the GDC facility did not act as a hazardous waste landfill, the facility did not maintain records of its hazardous waste activities. Therefore, PRC noted that the facility lacked analytical records, training records, inspection logs, operating records, a contingency plan, emergency arrangements with local authorities, closure and post-closure plans, and a ground-water monitoring system.

4.2 FACILITY INSPECTION

During the inspection, PRC inspectors walked around the perimeter of the landfill to observe its condition. Significant findings are detailed below.

The Grand Calumet River is the southern border of the landfill. PRC noted areas of runoff in the direction of this river. No fence was present between the river and the landfill. The river could be considered a natural barrier limiting facility access. One monitoring well was located between the river and the landfill.

PRC found that GDC also did not have a fence between the landfill and adjacent railroad tracks on the east boundary. However, a fence was present east of the railroad tracks, which would prevent access from the nearby roadway. PRC noted one monitoring well and exposed debris in this area (see Photo No. 1).

PRC inspected the northeast corner of the landfill where the abandoned American Add Mixtures building is located (see Photo No. 2). PRC noted pond water in this area (see Photo No. 3). Bubbles of apparently methane or other landfill gases were seen surfacing in the pond water and surrounding mud. This area did not appear to be completely capped.

PRC noted exposed debris along the facility's north boundary. In the northwest corner, PRC found the facility's unfilled area (see Photo No. 4), which had standing water. PRC noted leachate seeps into the eastern (see Photo No. 5) and western edges of the standing water. PRC also noted smoke that smelled like sulfur venting up from the northern slope (see Photo No. 6).

Apparently, this smoke came from an underground fire. One monitoring well existed in this area, which was unfenced.

The center portion of the landfill appeared to be capped (see Photo No. 7). The uncapped western boundary had exposed refuse and standing water. PRC did not observe a monitoring well in this area. The fence was missing from the western border, and apparently the facility has no system to control runoff or runoff of hazardous waste from the facility anywhere on the landfill. The facility did not appear to be accepting any waste at the time of the inspection. PRC did not observe the presence of any roll-off boxes at the facility.

5.0 INSPECTION SUMMARY AND REGULATORY DETERMINATIONS

During the CEI, PRC identified deficiencies in analytical records, a training program, training records, inspection logs, operating logs, the contingency plan, emergency arrangements with local authorities, an emergency coordinator, closure and post-closure plans, a ground-water monitoring system, and a record of the location and contents of each cell of hazardous waste. Specific IAC violations are listed below.

IAC Violations

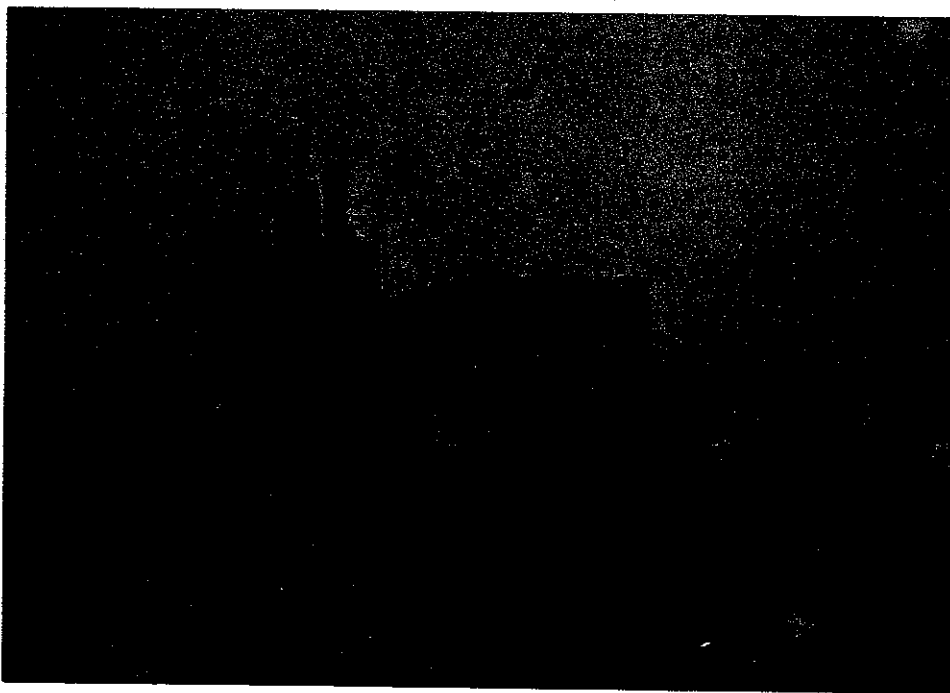
1. The facility has not made a proper hazardous waste determination of leachate which is generated at the facility. [329 IAC 3-7-2]
2. The facility did not have a detailed waste analysis plan on file for waste it accepted [329 IAC 3-16-4].
3. The facility did not have a written inspection schedule and did not conduct scheduled inspections of the facility for deterioration, malfunctions, operating errors, or discharges of hazardous waste, and did not inspect monitoring equipment, safety equipment, security devices, or other equipment [329 IAC 3-16-6].
4. The facility did not provide introductory or annual training reviews for personnel managing hazardous waste. The facility did not maintain personnel training records for current or former personnel handling hazardous waste [329 IAC 3-16-7].
5. The facility did not make arrangements with local authorities in case of an emergency at the facility [329 IAC 3-17-7].
6. The facility did not have a contingency plan [329 IAC 3-18-2 through 7].
7. The facility did not have an operating record to show the contents and location of hazardous waste in the landfill [329 IAC 3-19-4].
8. The facility did not implement a ground-water monitoring system [329 IAC 3-20-1(a)].
9. The facility did not implement an alternate ground-water monitoring system [329 IAC 2-20-1(d)].

Photo No. 1



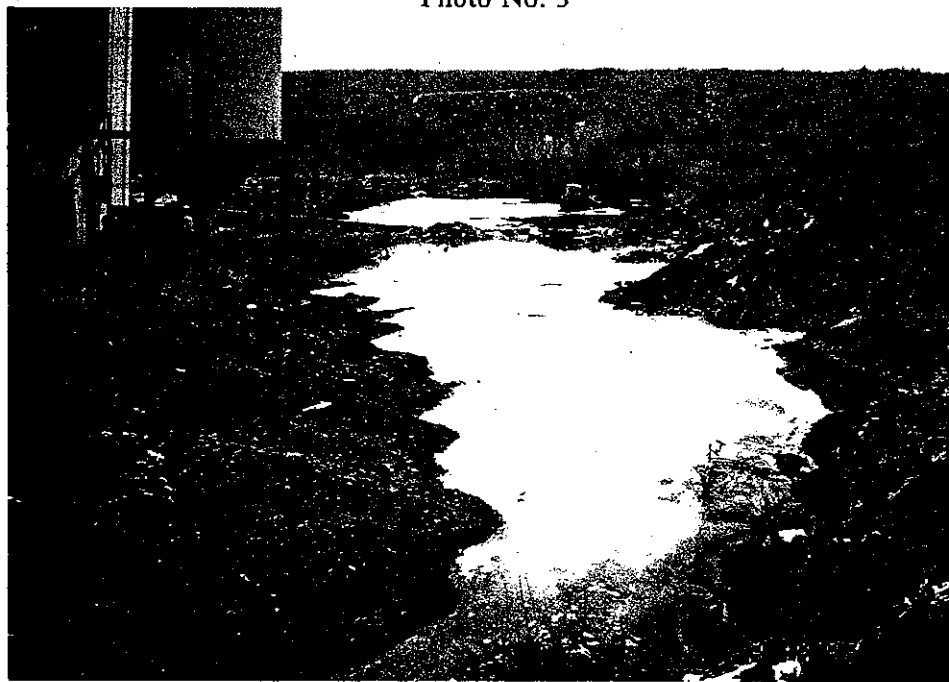
Photographer: Jack Brunner Date: 02/18/92 Time: 10:35 a.m. Direction: North
Description: Eastern edge of landfill, monitoring well in foreground; note that no fence is present between the landfill and the railroad tracks

Photo No. 2



Photographer: Jack Brunner Date: 02/18/92 Time: 10:40 a.m. Direction: Northwest
Description: Abandoned American Add Mixtures building in northeast corner of landfill

Photo No. 3



Photographer: Jack Brunner Date: 02/18/92 Time: 10:45 a.m. Direction: South
Description: Pond water south and west of the American Add Mixtures building; gas seen
bubbling up in this water

Photo No. 4



Photographer: Jack Brunner Date: 02/18/92 Time: 10:50 a.m. Direction: west
Description: Unfilled area of the facility's northwest corner; note exposed debris, standing water,
and lack of a fence on the northern border

Photo No. 5



Photographer: Jack Brunner Date: 02/18/92 Time: 10:55 a.m. Direction: Downward
Description: View of standing water in the northwestern corner of the landfill, note leachate on right of photograph and exposed debris

Photo No. 6



Photographer: Jack Brunner Date: 02/18/92 Time: 10:55 a.m. Direction: Downward
Description: Standing water in the northwest corner of the landfill; PRC noted smoke or steam (center of photograph) in this area that may indicate an underground fire

Photo No. 7



Photographer: Jack Brunner Date: 02/18/92 Time: 11:15 a.m. Direction: East
Description: Capped area of landfill; clay spreading equipment in background